

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	
)	
Plaintiffs and)	C.A. No. 20-613 (SB)
Counterdefendants,)	
)	REDACTED - PUBLIC VERSION
v.)	
)	
ROSS INTELLIGENCE INC.,)	
)	
Defendant and)	
Counterclaimant.)	

**PLAINTIFFS' RESPONSE TO DEFENDANT'S
NOTICE OF SUBSEQUENT DEVELOPMENT (D.I. 472)**

OF COUNSEL:

Dale M. Cendali
Joshua L. Simmons
Eric A. Loverro
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
(212) 446-4800

Miranda D. Means
KIRKLAND & ELLIS LLP
200 Clarendon Street
Boston, MA 02116
(617) 385-7500

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
Jack B. Blumenfeld (#1014)
Michael J. Flynn (#5333)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
mflynn@morrisnichols.com

*Attorneys for Plaintiffs Thomson Reuters
Enterprise Center GmbH and West Publishing
Corporation*

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Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation (collectively, “Plaintiffs”) hereby respond to the Notice of Subsequent Development filed by Defendant ROSS Intelligence Inc (“ROSS”) on April 24, 2023. (D.I. 472) (the “Notice”).

As explained in Plaintiffs’ Motion for Partial Summary Judgment on Fair Use (D.I. 254) and in their Opposition to ROSS’s Motion for Summary Judgment on Fair use (D.I. 317), the record in this case clearly shows that LegalEase, at ROSS’s instruction and direction, engaged in systematic copying of Plaintiffs’ copyrighted materials to develop ROSS’s competing legal research product. That copying was carried out by numerous LegalEase and Morae Global employees [REDACTED] to access and copy copyrighted content from Westlaw systematically over the course of several months. *See, e.g.*, D.I. 254 at 3–4; D.I. 317 at 4–6.

Faced with this overwhelming and undisputed evidence, ROSS submitted its Notice in the evident hope of distracting this Court from its unrepentant copying. The Court should disregard ROSS’s Notice for two reasons. ***First***, the document at Bates No. TRCC-00548958 [REDACTED]

[REDACTED]. As is clear on its face, the document reflects

[REDACTED]. [REDACTED]

i [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Accordingly, the Court should disregard ROSS’s Notice on that basis alone.

Second, contrary to ROSS's assertion, the document [REDACTED]

[REDACTED]. D.I. 472 at 1. Rather, [REDACTED]

[REDACTED]. *Id.*, Ex. 1 [REDACTED]

[REDACTED] *Id.* [REDACTED]

[REDACTED].”

D.I. 472 at 1. Indeed, [REDACTED]

[REDACTED]. *Id.*, Ex. 1. Rather, discovery has shown

overwhelming evidence of ROSS's and LegalEase's rampant and systematic copying of Plaintiffs' copyrighted materials. D.I. 254 at 3–4; D.I. 317 at 4–6. [REDACTED]

Accordingly, the Court should disregard ROSS's Notice in its entirety when considering the parties' fair use motions.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Michael J. Flynn

OF COUNSEL:

Dale M. Cendali
Joshua L. Simmons
Eric A. Loverro
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
(212) 446-4800

Miranda D. Means
KIRKLAND & ELLIS LLP
200 Clarendon Street
Boston, MA 02116
(617) 385-7500

Jack B. Blumenfeld (#1014)
Michael J. Flynn (#5333)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
mflynn@morrisnichols.com

*Attorneys for Plaintiffs and Counterdefendants
Thomson Reuters Enterprise Centre GmbH and
West Publishing Corporation*

May 3, 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 3, 2023, upon the following in the manner indicated:

David E. Moore, Esquire
Bindu Palapura, Esquire
Andrew L. Brown, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19801
Attorneys for Defendant and Counterclaimant

VIA ELECTRONIC MAIL

Mark A. Klapow, Esquire
Lisa Kimmel, Esquire
Crinesha B. Berry, Esquire
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
Attorneys for Defendant and Counterclaimant

VIA ELECTRONIC MAIL

Gabriel M. Ramsey, Esquire
Jacob Canter, Esquire
Warrington Parker, Esquire
Margaux Poueymirou, Esquire
Anna Z. Saber, Esquire
CROWELL & MORING LLP
3 Embarcadero Center, 26th Floor
San Francisco, CA 94111
Attorneys for Defendant and Counterclaimant

VIA ELECTRONIC MAIL

Shira Liu, Esquire
CROWELL & MORING LLP
3 Park Plaza, 20th Floor
Irvine, CA 92614
Attorneys for Defendant and Counterclaimant

VIA ELECTRONIC MAIL

/s/ Michael J. Flynn

Michael J. Flynn (#5333)